

Protest Process – Vendor Guide

Protest: (AS 36.30.560)

Any interested party may protest:

- the award of a contract,
- the proposed award of a contract, or
- a solicitation for supplies, services, professional services, or construction by an agency.

Timeline for filing a protest:(AS 36.30.565)

- 1) A protest based on alleged improprieties or ambiguities in a solicitation must be filed at least 10 days before the due date of the bid or proposal.
 - If a solicitation is made with a shortened public notice period and the protest is based on alleged improprieties or ambiguities in the solicitation, the protest must be filed before the due date of the bid or proposal.
- 2) A protest based upon alleged improprieties in an award of a contract, or a proposed award of a contract must be filed within 10 days after a notice of intent to award the contract is issued by the procurement officer.

The procurement officer shall immediately give notice of a protest filed under AS 36.30.565 to the contractor if a contract has been awarded or, if no award has been made, to all interested parties. (AS 36.30.570)

- The protest needs to be filed with the procurement officer of the contracting agency.
- The procurement officer will issue a written decision containing the basis of the decision within 15 days after a protest has been filed. A copy of the decision will be sent to the protester by a method that provides evidence of receipt. The time for the decision may be extended up to 30 days for good cause by the commissioner of administration. If an extension is granted, the procurement officer will notify the protester in writing of the new date that the decision is due.
- If a decision is not made by the due date, the protester may proceed as if the procurement officer had issued a decision adverse to the protester. (AS 36.30.580)

Information Required from the Protester

- The name, address, and telephone number of the protester
- The signature of the protester or the protester's representative
- Identification of the contracting agency and the solicitation or contract at issue
- A detailed statement of the legal and factual grounds of the protest, including copies of relevant documents
- The form of relief requested